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4 Counsel for USACM Liquidating Trust

5 **UNITED STATES BANKRUPTCY COURT**
 6 **DISTRICT OF NEVADA**

7 In re:

8 USA COMMERCIAL MORTGAGE
 9 COMPANY,

10 USA CAPITAL REALTY ADVISORS,
 LLC,

11 USA CAPITAL DIVERSIFIED TRUST
 DEED FUND, LLC,

12 USA CAPITAL FIRST TRUST DEED
 13 FUND, LLC,

14 USA SECURITIES, LLC, Debtors.

15 Affects:

- All Debtors
- USA Commercial Mortgage Company
- USA Capital Realty Advisors, LLC
- USA Capital Diversified Trust Deed Fund, LLC
- USA Capital First Trust Deed Fund, LLC
- USA Securities, LLC

Case No. BK-S-06-10725-LBR
 Case No. BK-S-06-10726-LBR
 Case No. BK-S-06-10727-LBR
 Case No. BK-S-06-10728-LBR
 Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under Case No.
 BK-S-06-10725 LBR

**VERIFIED PETITION FOR
 PERMISSION TO PRACTICE IN
 THIS CASE ONLY BY ATTORNEY
 NOT ADMITTED TO THE BAR OF
 THIS COURT**

[No hearing required]

20 Andrea Levin Kim, Petitioner, respectfully represents to the Court:

- 21 1. That Petitioner resides in Houston, Texas.
- 22 2. That Petitioner is an attorney at law and a member of the Houston office of
 23 the law firm of Diamond McCarthy LLP, with offices at 909 Fannin Street, Suite 1500,
 24 Houston, TX (713) 333-5100; 6504 Bridgepoint Parkway, Suite 400, Austin, TX 78730,
 25 (512) 617-5200; 1201 Elm Street, 34th Floor, Dallas, TX 75270, (214) 389-5300; and 620
 26 Eighth Avenue, 39th Floor, New York, NY 10018, (212) 430-5400.

1 3. That Petitioner has been retained personally or as a member of the law firm
 2 by the USACM Liquidating Trust ("USACM Trust") to serve as special litigation counsel
 3 to the USACM Trust.

4 4. That since May 2, 1997, Petitioner has been and presently is a member in
 5 good standing of the bar of the highest court of the State of Texas where Petitioner
 6 regularly practices law.

7 5. That Petitioner was admitted to practice before the following United States
 8 District Courts, United States Circuit Courts of Appeal, the Supreme Court of the United
 9 States and Courts of other States on the dates indicated for each, and that Petitioner is
 10 presently a member in good standing of the bars of said Courts.

<u>Court</u>	<u>Date Admitted</u>
United States District Court of Texas – Southern District of Texas	December 3, 1997
United States District Court of Texas – Eastern District of Texas	December 2, 1997
United States District Court of Texas – Northern District of Texas	November 19, 1997
United States District Court of Texas – Western District of Texas	November, 2004
United States Circuit Court of Appeals for the Fifth Circuit	October 27, 1998

19 6. That there are or have been no disciplinary proceedings instituted against
 20 petitioner, nor any suspension of any license, certificate or privilege to appear before any
 21 judicial, regulatory or administrative body, or any resignation or termination in order to
 22 avoid disciplinary or disbarment proceedings, except as described in detail below: None.

23 7. That Petitioner has never been denied admission to the State Bar of Nevada.

24 8. That Petitioner is a member of good standing in the following Bar
 25 Associations: State Bar of Texas.

1 9. Petitioner has previously been admitted to practice before this court in the
 2 Thomas A. Hantges bankruptcy case. The following present and former members of
 3 Petitioner's firm with which Petitioner is associated have filed applications to appear as
 4 counsel under Local Rule IA 10-2 during the past three (3) years:

	<u>Date of Application</u>	<u>Cause</u>	<u>Title of Court Administrative Body or Arbitrator</u>	<u>Was Application Granted or Denied</u>
7	Nathaniel J. Palmer Austin Office (01/20/09)	USACM Liquidating Trust v. Deloitte & Touche, LLP(2:08-cv-461)	USDC	Granted (01/20/09)
9	Barbara Balliette Austin Office (12/30/08)	USA Commercial Mortgage Company (BK-S-06-10725- LBR)	USBC	Granted (01/07/09)
11	Andrea L. Kim Houston Office (10/17/08)	Thomas A. Hantges (BK-S-07-13163- LBR)	USBC	Granted (12/04/08)
14	Jason Collins Austin Office (04/15/08)	USACM Liquidating Trust v. Deloitte & Touche, LLP(2:08-cv-461)	USDC	Granted (04/15/08)
16	Josh Bruckerhoff Austin Office (02/04/08)	USA Commercial Mortgage Company (BK-S-06-10725- LBR)	USBC	Granted (02/08/08)
18	Elisaveta Dolghih Dallas Office (02-05/08)	USA Commercial Mortgage Company (BK-S-06-10725- LBR)	USBC	Granted (02/07/08)
20	Jon Maxwell Beatty Houston Office (01/28/08)	USA Commercial Mortgage Company (BK-S-06-10725- LBR)	USBC	Granted (01/29/08)
22	Jon Maxwell Beatty Houston Office (04/11/08)	USACM Liquidating Trust v. Deloitte & Touche, LLP(2:08-cv-461)	USDC	Granted (04/14/08)
25	Lisa S. Tsai Austin Office (01/08/08)	USA Commercial Mortgage Company (BK-S-06-10725- LBR)	USBC	Granted (01/16/08)

1	Lisa S. Tsai Austin Office (04/24/08)	USACM Liquidating Trust v. Deloitte & Touche, LLP(2:08-cv-461)	USDC	Granted (04/25/08)
2	William T. Reid, IV Austin Office (08/06/07)	USA Commercial Mortgage Company (BK-S-06-10725- LBR)	USBC	Granted (08/15/07)
3	William T. Reid, IV Austin Office (04/11/08)	USACM Liquidating Trust v. Deloitte & Touche, LLP(2:08-cv-461)	USDC	Granted (04/14/08)
4	Stephen T. Loden Houston Office (06/08/07)	USA Commercial Mortgage Company (BK-S-06-10725- LBR)	USBC	Granted (06/14/07)
5	Allan B. Diamond Houston Office (02/01/07)	USA Commercial Mortgage Company (BK-S-06-10725- LBR)	USBC	Granted (02/02/07)
6	Allan B. Diamond Houston Office (04/11/08)	USACM Liquidating Trust v. Deloitte & Touche, LLP(2:08-cv-461)	USDC	Granted (04/14/08)
7	Arley D. Finley, III ¹ Austin Office (02/01/07)	USA Commercial Mortgage Company (BK-S-06-10725- LBR)	USBC	Granted (02/02/07)
8	Eric D. Madden Dallas Office (02/01/07)	USA Commercial Mortgage Company (BK-S-06-10725- LBR)	USBC	Granted (02/02/07)
9	Eric D. Madden Dallas Office (04/11/08)	USACM Liquidating Trust v. Deloitte & Touche, LLP(2:08-cv-461)	USDC	Granted (04/14/08)
10	Erin E. Jones ² Houston Office (02/01/07)	USA Commercial Mortgage Company (BK-S-06-10725- LBR)	USBC	Granted (02/02/07)
11	Michael Yoder Houston Office (02/01/07)	USA Commercial Mortgage Company (BK-S-06-10725- LBR)	USBC	Granted (02/02/07)

¹ Arley D. Finley, III resigned his role as a practicing attorney with Diamond McCarthy effective August 31, 2007.

² Erin E. Jones resigned her role as a practicing attorney with Diamond McCarthy effective October 1, 2008.

1 10. Petitioner consents to the jurisdiction of the courts and disciplinary boards of
2 the State of Nevada with respect to the law of this state governing the conduct of attorneys
3 to the same extent as a member of the State Bar of Nevada.

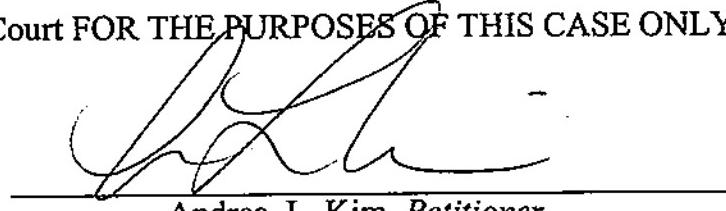
4 11. Petitioner agrees to comply with the standards of professional conduct
5 required of the members of the bar of this court.

6 12. Petitioner has disclosed in writing to the client that the applicant is not
7 admitted to practice in this jurisdiction and that the client has consented to such
8 representation.

9 In light of the foregoing considerations, Petitioner respectfully prays that Petitioner
10 be admitted to practice before this Court FOR THE PURPOSES OF THIS CASE ONLY.

12 DATED:

1/22/09



13 Andrea L. Kim, Petitioner

1 **VERIFICATION**
2
3
4
5

STATE OF TEXAS)
)
COUNTY OF HARRIS)

6 Andrea L. Kim, Petitioner, being first duly sworn, deposes and says:

7 That the foregoing statements are true.

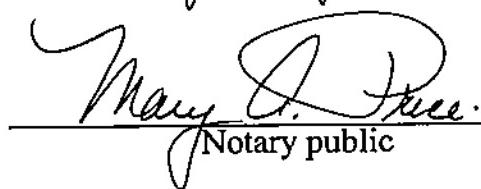


8
9 Andrea L. Kim, Petitioner
10
11

12 (Seal)

13 Subscribed and sworn to before me this

14 ^{20th} day of January, 2009.

15 
16 _____
17 Notary public

